G.R.S. [X—5]

Previous references.

1925-6 (CS)

File No. 88/25-

Serial Nos. 2

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 2

Part B for June 1926

SUBJECT

Representation of Mr. T. Venkatesa Iyengar, Under Secy. to Govt

To The Compiler, Mysore Gazette
Rec 3146 Dy 1/6/26.
Notifies Mr. Venkatesa Iyengar's promotion & post as Senior Assistant Commr from 3-8-26 to 29-2-26 Govt days inclusive.

Printed on the Multigraph.

(For Disposal at a Meeting)

No. C. 478
of 1926

GENERAL AND REVENUE SECRETARIAT.

Council Matter.

SUBJECT.

(Clause v of the schedule)

Representation of Mr. M. Venkatesa Iyengar, Under Secretary to Government, re. the date of his promotion as acting Senior Assistant Commissioner.

CIRCULATED TO THE MEMBERS OF COUNCIL.

By Order,

Chief Secretary to Government.

14th April 1926.

Extraordinary Member of Council.

First Member of Council.

Second Member of Council.

Extra Member of Council.

WD 01264—GPB—40,000—17-12-25

General and Revenue Secretariat

File No.

of 192

GS 1436.

Serial No.

RE THE DATE OF MY PROMOTION AS ACTING SENIOR ASSISTANT COMMISSIONER.

...

I most respectfully beg that Government may kindly re-consider the order last communicated to me declining my request that my promotion to the place of Acting Senior Assistant Commissioner be ordered to take effect from the 2nd August 1924. The grounds on which the request was last refused are not known to me. If there is any point connected with the case which I can explain I shall be happy to do so. Government Order No.2178/C.B.210-23-23 dated the 3rd March 1925 has been given full effect in the case of Mr. Sadasiva Rao but not in mine. My promotion has thus been delayed by so long a period in all as seven months. This has meant the loss of about Rs.900 to me in acting and other allowances. It has also delayed the next increment in the acting appointment. The seven months consist of broken periods from 2-8-1924 to 31-12-1924, 2-1-1925 to 1-2-1925 and 3-2-1925 to 1-3-1925. While in other cases vacancies for short periods like a fortnight or less are filled up it will be particularly hard that I should be denied the benefit of vacancies of such length. I shall be very grateful to Government if my request can be granted and pray that the matter be viewed favourably.

M Venkatasubbayyar.
Under Secy 10.3.26.

Chief Secretary)

NOTE - Comm. Sheet

RE THE DATE OF MY PROMOTION AS ACTING SENIOR ASSISTANT COMMISSIONER.

...

I most respectfully beg that Government may kindly re-consider the order last communicated to me declining my request that my promotion to the place of Acting Senior Assistant Commissioner be ordered to take effect from the 2nd August 1924. The grounds on which the request was last refused are not known to me. If there is any point connected with the case which I can explain I shall be happy to do so. Government Order No.2178/C.B.210-23-23 dated the 3rd March 1925 has been given full effect in the case of Mr. Sadasiva Rao but not in mine. My promotion has thus been delayed by so long a period in all as seven months. This has meant the loss of about Rs.900 to me in acting and other allowances. It has also delayed the next increment in the acting appointment. The seven months consist of broken periods from 2-8-1924 to 31-12-1924, 2-1-1925 to 1-2-1925 and 3-2-1925 to 1-3-1925. While in other cases vacancies for short periods like a fortnight or less are filled up it will be particularly hard that I should be denied the benefit of vacancies of such length. I shall be very grateful to Government if my request can be granted and pray that the matter be viewed favourably.

Copy of representation
sent through Chief Secy
MVJ
26/3.

CD. 15 86

1) In continuation of the representation which I submitted about two weeks ago in regard to the date from which my appointment as acting Senior Assistant Commissioner should begin I beg permission to make one fact clear.

2) The vacancy that I refer to began before the issue of the order re-organizing the Civil Service. It was one of two vacancies which began before that order was issued. The vacancy may therefore be considered as consisting of two parts:—

(1) A Civil Service Vacancy for one month and twenty days up to 22nd September 1924 the date of the Re-organization order.

(2) A non-Civil Service vacancy from that date made available to the Civil Service by the order of March 1925.

3) No question of giving retrospective effect to the order of March 1925 applies to the first part. I beg to submit that the place can be given to me in the usual course.

4) As regards the further period the question of the date from which the order of March 1925 should have effect arises. As in Mr. Sadasiva Rao's case the order has been given retrospective effect I beg that the same concession may be shown to me.

M Venkatesa Iyengar
8/4/26

Ch Secy.

I.P. No. 188
9.4.26

CS 1590

In continuation of the representation which I submitted about two weeks ago in regard to the date from which my appointment as acting Senior Assistant Commissioner should begin I beg permission to make one fact clear.

1) The vacancy that I refer to began before the issue of the order re-organizing the Civil Service. It was one of two vacancies which began before that order was issued. The vacancy may therefore be considered as consisting of two parts: —

(1) A Civil Service Vacancy for one month and twenty days up to 22nd September 1924 the date of the Re-organization order.

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4) As regards the further period the question of the date from which the order of March 1925 should have effect arises. As in Mr. Sadasiva Rao's case the order has been given retrospective effect I beg that the same concession may be shown to me.

neral and Revenue Secretariat

File No.

of 192 .

Serial No.

Representation of Mr.M.Venkatesa Iyengar, Under Secretary to Govt. for giving him retrospective effect to his acting appointment as Senior Asst. Commr. and also as Under Secretary to Govt.

* * * *

Mr. Venkatesa Iyengar has been appointed to act as Senior Asst. Commr. from 3rd March 1925. The Office Note in file No.C.B.51-24 and the minutes of the Members of Council clearly explain his case. It has been decided twice in Council that no retrospective effect could be given to the promotion.

2) Mr. Venkatesa Iyengar has again repeated his representation in the matter. The papers are submitted with references.

14/4/26

1) His main contention is that the vacancy in which he may be promoted as Senior Asst Commr should even prior to the order dated 1925 in which it was decided to make 2 of the Imp. Civil Service vacancies Senior Asst Commrs available for the Civil Service

4) The Reorganisation was sanctioned on the 22nd April 1926. There was a Civil Service vacancy for one month and 24 days up to the above date. This vacancy continued till the 31st Dec 1924

NOTE—Contn. Sheet

Serial No

and there were further vacancies from the 2nd Jan 1925 to the 1st Feb 1925 & from 3rd Feb 1925 to 2nd March 1925. But as the vacancy could not be given to the Civil Service being reserved for the Imp Civil Service cadre Mr. Venkatasamyar could not be appointed. On March 1925 as it was found that the vacancies reserved for the Imp Civil Service could not also be filled up as the officers concerned did not reached Rs 450 then & there was none available for the Civil Service. Mr. Balaraj alone who was senior to Mr. Venkatasamyar could not be appointed a Senior Asst Commr previous to Dec 1926 as he passed the Civil Part II Examination in that month. When the order of Govt was effected Mr Balaraj alone was given the preference and as there were 2 vacancies both were effected to each as Senior Asst Commrs from 3rd March Mr Balaraj alone being included as Senior to avoid supersession.

Mr. Venkatasamyar

NOTE—Contn. Sheet

Serial No.

regards that he may be given the vacancy that existed from 6 the 22nd Sept 1924 ie the date of the reorganisation order while continued were a loss till March

6) It is very difficult to draw a distinction between the vacancy that existed from 6 the 22nd Sept 1924 which was only a short duration and those between the 22nd Sept 1924 till March 1925 when these vacancies were made available for the Civil Service. The effect of the reorganisation order was to take away the claim of the Civil Service for these appointments though the subsequent order March this disability was removed yet as explained by the 1st Member in his note of the 5th May 1925 in file No. C B of 1924 Officers of the Civil Service have no right to claim these vacancies and their seniority has the benefit of one of them is due to be unsettled.

There are the following practical difficulties

NOTE Contn. Sheet

WD 01264—GPB—10,000—17-12-28

General and Revenue Secretariat | File No. | of 192

Serial No.

in any respect to Mr. Venkatasamyar
regards 8) As Mr. Balaraj Urs was
not fully qualified Mr. Venkatasamyar
may perhaps be given the vacancy
for one month and twenty-four
days till 22nd Sept 1924. His
right to selection to the Civil
Service vacancies made available
to the Civil Service Act Cannon
arose only after the ordinary branch
but as Mr. Balaraj Urs had
also been qualified in the
meanwhile it is difficult to
give Mr. Venkatasamyar the benefit
of the rule to the prejudice of Mr.
Balaraj Urs as at the time the
vacancy was thrown open Mr.
Balaraj Urs was equally qualified
for the same.

9) It is on account of these
difficulties that the Council
decided not to give retrospective
effect to the ordinary branch 1925
All that can be done is to
give Mr. Venkatasamyar the
benefit of the vacancy for
one month and twenty-four
days prior to the 22nd Sept-1924
but this leaves us with the

NOTE.—Contn. Sheet

WD 01264—GPB—10,000—17-12-28

Serial No.

in any respect to Mr. Venkatasamiyar regards 8) As Mr. Balaraj Urs was not fully qualified Mr. Venkatasamiyar may perhaps be given the vacancy for one month and twenty-four days till 22nd Sept 1924. His right to take up the Civil Service vacancies made available to the Civil Service Act Cannon arose only after the order branch but as Mr. Balaraj Urs had also been qualified in the meanwhile it is difficult to give Mr. Venkatasamiyar the benefit of the rule to the prejudice of Mr. Balaraj Urs as at the time the vacancy was thrown open Mr. Balaraj Urs was equally qualified for the same.

9) It is on account of these difficulties that the Council decided not to give retrospective effect to the order of March 1925 All that can be done is to give Mr. Venkatasamiyar the benefit of the vacancy for one month and twenty-four days prior to the 22nd Sept-1924 but this leaves us with the

NOTE Contn. Sheet

Serial No.

anomaly that though the same vacancy obtained he cannot have it if he is on leave from 15 25 — it was not available for the Civil Service. All things considered the previous decision though it may depress the officer a few rupees seems to be an equitable & fair solution

Dawson

12/4/26

In reply — Emphasising for Consideration

4-
13.4

13/4/26

C5

Extract from the Proceedings of the 772nd Meeting of the Council of His Highness the Maharaja, held at Bangalore on the 15th May 1926 19

204. Subject. - Clause v of the schedule.

Representation of Mr. M.Venkatesa Iyengar, Under Secretary to Government, re. the date of his promotion as acting Senior Assistant Commissioner.

OPINION OF THE COUNCIL.

Mr. Venkatesa Iyengar may be given the Civil Service Vacancy in the grade of Senior Assistant Commissioners prior to the Re-organization order for 1 month and 24 days.

(Signed) Mirza M. Ismail,

Dewan of Mysore.

"EXTRACT"

Chief Secretary to Government.

WD 1471—GPB—2,000—1-8-21

Submitted to His Highness.

There was a temporary vacancy in the grade of Senior Assistant Commissioners from 3rd August 1924 vice Mr. B.T. Kesava Iyengar on special duty. In the order sanctioning the re-organisation of the Civil Service - G.O.No.757-807/C.B. 210-23-1 dated 22nd September 1924 - the number of Senior Assistant Commissioners was reduced from 11 to 9. At the same time two higher appointments of the pay of the Senior Assistant Commissioners viz., 500-50-600, have been made available, one to the Revenue and another to Police Department for promotion of the non-Civil Service officers who have reached the maximum pay of Rs.450. Thus the temporary vacancy in the Senior Assistant Commissioners' grade, on account of the special duty of Mr.B.T.Kesava Iyengar, ceased from 22nd September 1924, the date of the re-organisation order.

On the representation of Mr.M.Venkatesa Iyengar for promotion to the Senior Assistant Commissioners' grade it was ordered in Government Order No.2178/C.B.210-23-23 dated 3rd March 1925 that the two higher appointments created for the non-Civil Service officers might be temporarily utilised for promoting two Civil Service Assistant Commissioners to the Senior Assistant Commissioners' grade.

The two officers eligible for promotion were (i) Mr.M.N. Balaraj Urs and (ii) Mr.M.Venkatesa Iyengar. Mr.Balaraj Urs is senior to Mr.Venkatesa Iyengar in the list of Assistant Commissioners, but he qualified himself fully for promotion to the grade of Senior Assistant Commissioner only in December 1924. With a view to keep up the relative rank of these two officers, the order permitting utlization of the two - higher appointments available for non-Civil Service officers for promotion of Assistant Commissioners was given effect to from 3rd March 1925 and both the officers, Messrs.M.N.Balaraj Urs and M.Venkatesa Iyengar were promoted to the Senior -

Assistant Commissioners' grade from the 3rd March 1925.

Since then Mr.M.Venkatesa Iyengar has been making representations for giving retrospective effect to his promotion from the 3rd August 1924. His request was declined twice, but he has again repeated his representation for promotion with retrospective effect.

The matter was considered in Council on the 15th April 1926 when the following resolution has been recorded:-

> "Mr.Venkatesa Iyengar may be given the Civil Service vacancy in the grade of Senior Assistant Commissioners prior to the Re-organisation order for 1 month and 20 days".

The Civil Service vacancy existed from 3rd August 1924 to 21st September 1924, i.e., for 1 month and 20 days. This vacancy may be given to Mr.Venkatesa Iyengar who had qualified himself for promotion previously. His request for continuing the promotion in the non-Civil Service vacancy from the 22nd September 1924 cannot be sanctioned as the order making the vacancies available to Civil Service men was passed only in March 1925 and cannot be given retrospective effect to. It will be distinctly understood that by giving this temporary vacancy to - Mr.Venkatesa Iyengar the relative rank between Mr.M.N. Balaraj Urs and Mr.M.Venkatesa Iyengar will not be affected.

The recommendation of the Council may be graciously approved.

Mirza M. Ismail

Bangalore,
21st May 1926

Psk.

C478

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Representation of Mr. M. Venkatesa Iyengar, Under Secretary to Government, re: the date of his promotion as acting Senior Assistant Commissioner.

Order.

KRMS

22/5/21

C478

FOR PERUSAL OF HIS HIGHNESS'S ORDERS

C. Secy

24/5

T & W. Dept.

Serial No.

Dnapr. noted. subd.

W
29/5T26

Secn

31/5

2 To the Compiler, Leg. Ref.

No. 311.6/Ca. 31.6.26

Notifies Ver. M. Venkatesa Ayyangar's appt. as Asst. Comr. and transfer to Ootacamund

No. 3147-8/Ca 31.6.26 Fd. Offrs. [illegible]

To Comr. of Sh. & Ver. Venkatesa Ayyangar.

APP. C. V. (d).

SUBJECT .....

.....

.....

Section C. B.

File No. 98/25-

Seria No. 2

No. 3102

Diary No. of letter replied to.....

To .....

General and Revenue Secretariat

( )

the *192*

Date of issue 1/6/25

Signed by [illegible]

Notification

Mr. M. Venkatesa Iyengar M. C. S. is promoted to act as Senior Asst. Commr. from 3/8/24 to 21/9/24 both days inclusive, ~~vice Mr. B. T. Kesava Iyengar on Special Duty~~.

By order.

Ch. Secy. to Govt.

31/5

To the Comptroller Mys. Gazette for publication.

Copy to Comptle with reference to his U.O. no. 670/G.A.D.Q. 12/3/25-

Copy to Mr. M. Venkatesaiyengar and Office Branch

over

By order

Ch. Secy.

WD 0567—GPB—31,000—17-8-25

24/5/26